

**Statement of  
Jim Pena, Associate Deputy Chief  
Forest Service  
United States Department of Agriculture  
Before the United States  
House of Representatives  
Committee on Natural Resources  
Subcommittee on Public Lands and Environmental Regulations  
March 6, 2014  
Concerning  
H.R. 1839  
Hermosa Creek Watershed Protection Act of 2013**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today and provide the Department of Agriculture's views regarding H.R. 1839, the "Hermosa Creek Watershed Protection Act of 2013".

The Department supports H.R. 1839 except that, unlike the Senate version of this bill (S. 841), H.R. 1839 contains section 10 which may limit the Forest Service's ability to implement the bill.

H.R. 1839 would designate 107,886 acres of the San Juan National Forest as the Hermosa Creek Watershed Protection Area to protect water resources within the Hermosa Creek Watershed, which supplies residents of the Animas River valley and the city of Durango, Colorado with clean drinking water. This designation would be consistent with the Forest Plan. This bill recognizes the important role that National Forests play in providing clean drinking water, recreation opportunities and economic value for surrounding communities.

Of the 107,886 acres, 68,289 acres would be designated as the "Hermosa Creek Special Management Area." The purpose of the Special Management Area is to conserve and protect the watershed, geological, cultural, natural, scientific, recreational, wildlife, riparian, historical, educational, and scenic resources and values of the area. Overall this special area designation will focus attention and management priority to these non-commodity values within the area, including protection of native Colorado River cutthroat trout.

The bill also would require the creation of a management plan for the Special Watershed Management Area. The Department has concerns about the overlap of the Special Management Area plan with the San Juan Forest Plan. The management of the values and resources within the area can be addressed as components of the existing San Juan Forest Plan. We suggest adjusting this language to reflect incorporation of the management guidance as an amendment to the San Juan Forest Plan, rather than creating a new planning process.

In addition, 37,236 acres of the 107,866 acres would be designated as the Hermosa Creek Wilderness under the National Wilderness Preservation System. This area encompasses some of Colorado's most majestic, remote landscapes with many abundant wildlife species including elk,

deer, bears and a variety of birds. This area also provides opportunities to experience solitude and primitive recreation use for members of the public seeking areas to connect with nature.

Section 10 of the bill would provide that any signs, fixtures, alterations, or additions needed in connection with the designations established in this Act or for the advertisement of such designations shall be paid for only with non-Federal funds or amounts made available for such purposes in Acts of appropriation before the date of the enactment of this Act. This provision may limit the agency's ability to implement the designations and have unintended consequences.

Finally, the Department has minor technical recommendations that we would like to include in this bill that we would be happy to share with this Committee.

This concludes my prepared statement. I would be happy to answer any questions you may have.